



Australian Government

**Department of Agriculture,
Water and the Environment**

Grant Opportunity Guidelines

Sea Country Indigenous Protected Areas Program

Opening date:	Monday 18 October 2021
Closing date and time:	Monday 29 November 2021 2.00pm Australia Western Standard Time (Western Australia) 3.30pm Australian Central Standard Time (Northern Territory) 4.00pm Australian Eastern Standard Time (Queensland) 4.30pm Australian Central Daylight Time (South Australia) 5.00pm Australian Eastern Daylight Time (Victoria, Tasmania and New South Wales)
Commonwealth policy entity:	Department of Agriculture, Water and the Environment
Administering entities	Department of Agriculture, Water and the Environment National Indigenous Australians Agency
Enquiries:	If you have any questions, contact: Telephone: 1800 803 772 Email: scipa@awe.gov.au Questions should be sent no later than 24 November 2021
Date guidelines released:	18 October 2021
Type of grant opportunity:	Targeted competitive

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1 Sea Country Indigenous Protected Areas Program processes

The Sea Country Indigenous Protected Areas Program is designed to achieve Australian Government objectives

This grant opportunity is part of the above grant program which contributes to the Department of Agriculture, Water and the Environment's Outcome 1. The Department of Agriculture, Water and the Environment works with stakeholders to plan and design the grant program according to the *Commonwealth Grants Rules and Guidelines 2017*.



The grant opportunity opens

We¹ publish the grant opportunity guidelines on GrantConnect



You complete and submit a grant application

You complete the application form and address all of the eligibility and assessment criteria to be considered for a grant.



We assess all grant applications

We assess the applications against eligibility criteria and notify you if you are not eligible, if applicable. We assess your eligible application against the assessment criteria including an overall consideration of value with money and compare it to other eligible applications.



We make grant recommendations

We provide advice to the decision maker on the merits of each application.



Grant decisions are made

The decision maker decides which applications are successful.



We notify you of the outcome

We advise you of the outcome of your application. We may not notify unsuccessful applicants until grant agreements have been executed with successful applicants.



We enter into a grant agreement

We will enter into a grant agreement with successful applicants. The type of grant agreement is based on the nature of the grant and will be proportional to the risks involved.



¹ The Sea Country Indigenous Protected Areas Program is administered by both the Department of Agriculture, Water and the Environment and National Indigenous Australians Agency. The application and assessment process are administered by the Department. Successful applicants will enter grant agreements administered by the National Indigenous Australians Agency. The use of 'We' and 'Our' in these guidelines refers to the Australian Government in general and to one or both of these Australian Government agencies, as applicable.

Delivery of grant

You undertake the grant activity as set out in your grant agreement. We manage the grant by working with you, monitoring your progress and making payments.



Evaluation of the Sea Country Indigenous Protected Areas Program grant opportunity

We evaluate your specific grant activity and the Sea Country Indigenous Protected Areas Program as a whole. We base this on information you provide to us and that we collect from various sources.

1.1 Introduction

These guidelines contain information for the Sea Country Indigenous Protected Areas (IPA) Program grants.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

2 About the grant program

The \$11.6 million Sea Country Indigenous Protected Areas Program (the program) will run over two years from 2021-22 to 2022-23.

The program was announced on 23 April 2021 as part of an Australian Government \$100 million investment in the management of ocean habitats and coastal environments and reducing emissions.

The program seeks to increase the area of sea in IPAs to strengthen the conservation and protection of the marine environment, while creating employment and economic opportunities for Indigenous Australians, particularly in remote regions. This will be achieved by developing new Sea Country IPAs and/or expanding the area of sea in existing dedicated IPAs. The program builds on the success of the existing Indigenous Protected Areas Program.

The objectives of the Sea Country IPA Program are:

- Protect, conserve and improve the condition of Australia's marine environment and augment Australia's National Representative System of Marine Protected Areas
- Assist Indigenous Australians to deliver environmental, cultural, social and economic outcomes through enhancing the capacity of Traditional Owners to effectively and sustainably manage their land² and sea³

² See defined term *land* in the Glossary under section 14 of these Guidelines

³ See defined term *sea* in the Glossary under section 14 of these Guidelines

- Enhance collaboration between Indigenous Australians, government and non-government stakeholders to support the conservation and sustainable management of Australia's marine environment.

For the purpose of this program, Sea Country refers to areas of sea and/or coastal environment⁴ that Aboriginal and Torres Strait Islander groups are particularly affiliated with through their traditional lore/law and customs.

Achievement of program objectives will be demonstrated by Traditional Owners working collaboratively with government and non-government partners⁵ and stakeholders⁶ to protect, conserve and improve the condition of the marine environment while developing economic opportunities. Supporting Traditional Owners to fulfil their responsibilities to care for Country improves well-being and social cohesion, provides training and education opportunities, and maintains cultural knowledge, while simultaneously enabling economic opportunities such as jobs and fee-for-service activities.

The program includes a focus on increasing employment for Indigenous Australians. A significant component of each project budget is employment of Indigenous Australians to undertake IPA project activities.

Under this program, eligible activities are not limited to consultation and planning activities. Activities undertaken during the consultation stage of a project can include on-ground/on-sea activities such as pest plant or animal management, foreshore debris removal, cultural site management, sea patrols, and monitoring health of Sea Country (see section 5.1 for a list of eligible grant activities).

On-ground activities should only be undertaken with permission from the relevant landowner or manager. Where permission to undertake an on-sea activity is required, e.g. the activity will take place in a marine protected area, permission from the relevant sea management agency must be obtained.

We administer the program according to the *Commonwealth Grants Rules and Guidelines 2017 (CGRGs)*⁷.

2.1 About Indigenous Protected Areas

An Indigenous Protected Area (IPA) is an area of land and/or sea managed by Indigenous people for biodiversity conservation and the protection of cultural values, through activities such as pest plant and animal management, threatened species protection and cultural site management. IPAs provide significant cultural, social and economic benefits. They provide employment for Indigenous land and sea managers, and facilitate intergenerational knowledge transfer, the maintenance and reinvigoration of language and culture, and support Indigenous rangers as role models engaging with youth in their communities.

There are currently 78 dedicated IPAs covering over 74 million hectares of land. These IPAs are recognised by the Australian Government as an important part of the National Reserve System (NRS), which is the network of formally recognised parks, reserves and protected areas across

⁴ See defined term *coastal environment* in the Glossary under section 14 of these Guidelines

⁵ See defined term *partner* in the Glossary under section 14 of these Guidelines

⁶ See defined term *stakeholder* in the Glossary under section 14 of these Guidelines

⁷ <https://www.finance.gov.au/government/commonwealth-grants/commonwealth-grants-rules-and-guidelines>

Australia. Eight of these dedicated IPAs include areas of sea, with over four million hectares of sea covered by existing IPAs.

Under the Sea Country IPA Program, there are two stages to an IPA:

- **Consultation Stage** - Sea Country IPA projects start with a consultation stage involving discussion and planning within and between Indigenous groups, partners and stakeholders with rights and interests in the area of the proposed IPA. Traditional Owners⁸ lead the development of a management plan that treats their traditional estate as a cultural and ecological whole and outlines proposed actions to protect natural and cultural values. Management plans typically complement, rather than propose the replacement of existing management arrangements. Management plans must include the relevant International Union for Conservation of Nature (IUCN) protected area category or categories⁹ under which the IPA will be managed. Management plans also identify opportunities for IPA managers to build financial and non-financial partnerships with government and non-government stakeholders, amplifying the impact of Australian Government investment.

On-ground/on-sea work may be undertaken during both the consultation and dedication stages of a Sea Country IPA project.

- **Dedication Stage** - The IPA project moves from the consultation to the dedication stage following an informed decision by Traditional Owners and other relevant parties to dedicate an area of land/sea as an IPA and manage the area in accordance with the management plan. The following requirements must be met before the Australian Government recognises the area of the proposed IPA as a dedicated IPA:
 - formal endorsement of the management plan by the Australian Government.
 - the relevant Traditional Owner representative body provides assurance that the Traditional Owners have given their *free, prior and informed consent*¹⁰ for the area to be dedicated as an IPA and managed in accordance with the management plan.
 - reasonable and due consideration of the rights and interests of all stakeholders in the relevant marine area. For example, a proposal to dedicate an IPA over an area of state waters should include letters of support from the relevant state government and industries.
 - evidence that the owners or leaseholders of land in the proposed IPA have consented to their land being included in the dedicated IPA.

An IPA dedication has no impact on tenure arrangements.

Projects funded through the program are not required to reach the dedication stage by 30 June 2023. Further consultation for the same IPA project could be funded under a future IPA program, noting the Government is yet to make a decision regarding funding of IPA programs beyond 30 June 2023.

⁸ See defined term *Traditional Owners* in the Glossary under section 14 of these Guidelines

⁹ An internationally recognised framework that categorises the variety of protected area management types according to their management objectives: www.iucn.org/theme/protected-areas/about/protected-area-categories

¹⁰ See defined term *free, prior and informed consent* in the Glossary under section 14 of these Guidelines

3 Grant amount and grant period

3.1 Grants available

Up to \$9.7 million in grants is available under this grant opportunity.

- The minimum grant amount is \$800,000 (GST exclusive).
- The maximum grant amount is \$1,300,000 (GST exclusive).

In the application form you will be asked to provide information on new staff positions and costs, and asset needs (including vessel, vehicle and infrastructure). We will use this information, together with the budget guide provided at **Attachment A**, to assign a recommended grant amount to each application. This will also take into account the scope and complexity of each proposed project. You do not need to propose a grant amount in your application. Further information on the factors we will consider in setting a recommended grant amount is provided at **Attachment A**.

You are not required to contribute to eligible expenditure. The grant amount you receive will be up to 100 per cent of eligible expenditure.

If you are applying for multiple Sea Country IPA consultation projects, you are required to complete a separate application form for each project.

You cannot receive grant funds to expand an existing consultation IPA project where no land or sea has been dedicated as an IPA¹¹. You can apply to more than one Australian, state, territory or local government program to support your IPA project. If more than one application is successful, you cannot receive other grants for activities, equipment, services or supplies where they are fully funded by another program and/or are substantially the same.

3.2 Grant period

Grant projects are expected to start in early 2022 and will end on 30 June 2023.

4 Eligibility criteria

We cannot consider your application if you do not satisfy all the eligibility criteria.

4.1 Who is eligible to apply for a grant?

To be eligible you must:

- be an Indigenous organisation or an Indigenous enterprise as defined in the Glossary (see section 14). If you don't have an Indigenous Corporation Number (ICN), you may provide a statutory declaration stating that your organisation is at least 51 per cent owned or controlled by Indigenous persons or the Indigenous enterprise has 50 per cent Indigenous ownership
- have an Australian Business Number (ABN)
- have an account with an Australian financial institution

and be one of the following entity types:

- an entity, incorporated in Australia
- a company incorporated in Australia under the *Corporations Act 2001*
- an Indigenous not-for-profit corporation, council or incorporated association

¹¹ Refer <https://www.niaa.gov.au/sites/default/files/files/ipa-national-map-july-2021.pdf> for the names of the 22 existing consultation IPA projects where no land or sea has been dedicated as an IPA

- an incorporated trustee on behalf of a trust
- an incorporated association
- an incorporated co-operative
- a registered charity or not-for-profit organisation
- an Indigenous government agency or body established under Commonwealth, state or territory legislation
- an Aboriginal and/or Torres Strait Islander Corporation registered under the *Corporations (Aboriginal and /or Torres Strait Islander) Act 2006*.

If applying as a not-for-profit organisation listed above, you should demonstrate your 'not-for-profit' status through one of the following:

- state or territory incorporated association registration number or certificate of incorporation, e.g. clubs and other associations
- current Australian Charities and Not for profits Commission's (ACNC) registration, e.g. for organisations registered as a charity
- constitutional documents that demonstrate the not-for-profit character of the organisation
- legislation that demonstrates the not-for-profit nature of the organisation.

Joint applications are permitted, however, a lead organisation must be identified as the principal proponent and must be eligible to apply. For further information on joint applications, see section 7.2.

4.2 Additional eligibility requirements

We can only accept applications:

- where you certify that your proposed project does not duplicate other government-funded management actions that are already underway in the location you are proposing to undertake activities
- where you certify that you do not have any overdue reports, acquittals or debt associated with previous Australian Government funding that would impede your ability to achieve the objectives of your IPA project. You may be asked to supply details of your management of projects as part of the assessment process or at a later date.

We cannot waive the eligibility criteria under any circumstances.

4.3 Who must support your application?

Your application must include a letter of support from an entity or entities with responsibility for representing Traditional Owners of your proposed consultation area. The letter should provide support for you undertaking consultation and planning activities consistent with the consultation stage of an IPA (See section 2.1 of these guidelines for detail on the level of support the Australian Government requires from Traditional Owners and other parties prior to the IPA project moving to the dedication stage).

The letter of support must be no more than one page and should:

- demonstrate that the entity is a representative body for Traditional Owners, including any statutory basis for this

- indicate who the recognised Traditional Owners¹² are for the proposed consultation area
- support the Applicant's role in undertaking consultation and planning activities for the IPA consultation project.

The entity providing the letter of support could include:

- a Registered Native Title Body Corporate (RNTBC)
- a Native Title Representative Body (NTRB) or a Native Title Service Provider (NTSP)¹³
- for Victorian applicants, a Registered Aboriginal Party¹⁴
- for Tasmanian applicants, the Aboriginal Land Council of Tasmania.

If you do not include a letter of support for a component/s of the consultation area of your proposed IPA, we will remove those component/s prior to assessing your application. The removal of the component/s may impact the score assigned to your application during assessment.

4.4 Who is not eligible to apply for a grant?

You are not eligible to apply if you are:

- a non-Indigenous organisation
- an individual
- an unincorporated association
- an overseas resident/organisation
- any organisation not included in section 4.1
- a trust (however, an incorporated trustee may apply on behalf of a trust provided they meet the eligibility requirements in 4.1)
- an Australian, state, territory or local Government agency or body (however, an Indigenous government agency or body established under Commonwealth, state or territory legislation may apply as per 4.1).
- seeking grant funding to support the expansion of an existing consultation IPA project where no land or sea has been dedicated as an IPA¹⁵.

4.5 What qualifications and licensing are required?

All applicants must comply with all applicable laws if their application is successful. This includes maintaining all qualifications, permits, registrations and licences required for the lawful performance of the activity or service to be provided. This also includes mandatory Work, Health and Safety requirements, and requirements for Working with Children checks, Working with Vulnerable People checks, industry licenses or registration or Australian Skills Quality Authority accreditation. Applicants must have in place a remuneration structure under which they will employ staff. The remuneration structure must align to a relevant state or nationally recognised award and/or a registered Enterprise Agreement.

¹² See defined term *Traditional Owners* in the Glossary under section 14 of these Guidelines

¹³ <https://www.niaa.gov.au/indigenous-affairs/land-and-housing/native-title-representative-bodies-and-service-providers>

¹⁴ <https://www.aboriginalheritagecouncil.vic.gov.au/victorias-current-registered-aboriginal-parties>

¹⁵ Refer <https://www.niaa.gov.au/sites/default/files/files/ipa-national-map-july-2021.pdf> for the names of the 22 existing consultation IPA projects where no land or sea has been dedicated as an IPA

5 What the grant money can be used for

5.1 Eligible locations and grant activities

To be eligible your grant project must:

- identify an area (the consultation area) of sea that is proposed to be incorporated into an IPA, either through expanding a dedicated IPA or developing a new IPA, to strengthen conservation and protection of the marine environment, and
- create employment and economic opportunities for Indigenous Australians, and
- include activities directly related to the project, such as:
 - Consultation activities with Indigenous groups and stakeholders
 - Development of a management plan that outlines actions to protect natural and cultural values
 - On-ground management activities such as coastal patrols, fisheries and biosecurity surveillance, coastal management (weed and feral animal control, fire management and erosion control), sustainable management of turtle and dugong, cultural site management and foreshore debris removal¹⁶
 - Traditional Owner access to Sea Country and intergenerational transfer of Indigenous ecological knowledge
 - Mapping, research and monitoring of ecological and cultural values.

The consultation area may include an area of land.

5.2 Eligible expenditure

Under grant agreements, successful applicants will be required to submit annual budgets for our consideration and approval. The budget must include a breakdown of costs into major categories, e.g. administration and audit, wages/oncosts, operational. You are not permitted to transfer amounts between categories of expenditure items within the budget of more than 10 per cent without seeking our approval, and the total amount of transfers in any financial year cannot exceed 10 per cent of the total value of Grant payments under the Project Agreement in that financial year.

Eligible expenditure items include:

- Coordinators¹⁷ – the cost of an IPA coordinator to manage the work
- IPA on-sea/on-ground staff - the cost of engaging staff to work on the IPA, consistent with annual operational plans and the IPA management plan, if one is in place
- Specialist positions – consideration will be given to the employment of specialist positions on a project-by-project basis (such as mentor, project manager, natural resource management or cultural management advisors)
- Training – relevant to the work to be undertaken by IPA project staff

¹⁶ On-ground activities should only be undertaken with permission from the relevant landowner or manager. Where permission to undertake an on-sea activity is required, e.g. the activity will take place in a marine protected area, permission from the relevant sea management agency should be obtained

¹⁷ Preference should be given to employment of Indigenous Australians in all positions. The grant agreement will specify that some positions **must** be filled by Indigenous Australians.

- Technical advice or support – where this is demonstrated as important for the success of the project
- IPA management plan and sectoral plans¹⁸ – costs associated with the preparation of new management plans or the review of existing management plans. Costs associated with sectoral plans, for example, foreshore debris management plan, threatened species/communities management plans, pest management plans, preparation of MERI (Monitoring, Evaluation, Reporting and Improvement) plans and annual operational plans.
- Costs associated with mapping environmental and cultural values, including coastal and underwater cultural heritage values
- Consultation and meetings – costs related to consultation and meetings to support the project, including the establishment of IPA management and advisory committees with appropriate community and stakeholder representation
- transport and fuel expenses that are necessary for IPA establishment/management activities - all costs related to the lease and maintenance of vehicles and vessels including but not limited to: lease fees; registration and insurance; repairs and maintenance; storage/mooring; fuel; all other costs related to vehicles and vessels excluding purchase costs (see assets purchases for further guidance)
- Asset or infrastructure purchases that are necessary for IPA management activities - all costs related to purchases costing \$5,000 or more including but not limited to: cost of base item and extras/add-ons; stamp duty; delivery and installation; work, health and safety modifications/adjustments; all other costs related to the purchase of assets or infrastructure. You must seek Australian Government approval for expenditure above \$5000
- Domestic travel – travel costs to support visits to other protected areas and attendance at IPA managers' meetings and relevant conferences, workshops and training
- International travel – consideration will be given to supporting international travel costs on a project-by-project basis
- Administration and audit expenses – must not exceed 15 per cent of total annual budget, and may include administration costs for the project that may include minor office equipment and supplies; fees for professional services such as accountants and lawyers; insurance costs; bank fees and charges; other project related administration expense
- On ground/on-sea activities such as pest plant or animal management, foreshore debris removal, cultural site management and sea patrols
- Signage – where it relates to the conservation or management of places
- Maintenance of trails, firebreaks and infrastructure such as fencing and sheds/boatsheds and jetties
- Community events – where this will clearly contribute to community participation in the project and knowledge transfer of project outcomes
- Permits or approvals – where these are essential for a project related activity.

The Program Delegate¹⁹ makes the final decision on what is eligible expenditure.

You must incur expenditure on your grant activities between the start and end dates detailed in your grant agreement for it to be eligible.

¹⁸ See defined term *management plan* and *sectoral plan* in the Glossary under section 14 of these Guidelines

¹⁹ See defined term *Program Delegate* in the Glossary under section 14 of these Guidelines

5.3 Impact of COVID-19

When preparing your application, you should outline how you will adapt the project if Government restrictions in response to the COVID-19 pandemic impact project delivery. Projects need to be designed to ensure participants' health and safety.

5.4 What the grant money cannot be used for

You cannot use the grant for the following activities/expenses:

- activities, equipment, services or supplies that are already being supported, or which were previously supported through other Australian, state or territory, or local government or other third-party sources, initiatives or programs, where those activities are fully funded by that program and/or are substantially the same
- purchase or transfer costs of land or buildings, including housing, land rates and levies
- costs incurred in the preparation of a grant application or related documentation
- costs incurred prior to the grant agreement start date or after the grant agreement end date
- lobbying activities and media campaigns that could be considered political in nature (whole or part)
- activities outside of Australia
- activities that duplicate work undertaken by Australian, state, territory or local government bodies
- activities inconsistent with the objectives of the program, the IPA management plan, if one is in place, or the assigned IUCN category/s (see section 2.1)
- activities likely to have a significant adverse impact on any matter of national environmental significance under the *Environment Protection and Biodiversity Conservation Act 1999*
- activities likely to have a significant adverse impact on natural, historic or Indigenous cultural heritage.

Commercial benefits – We encourage projects to develop skills and expertise that could lead to commercial or fee-for-service opportunities separate to their IPA work. IPA funding cannot be used to support the costs of any economic enterprise administration or operating costs but may be used to support some activities that could lead to a commercial enterprise such as sustainable tourism, sustainable aquaculture or food production using Indigenous knowledge. Where commercial opportunities arise, we will work with you to develop arrangements that accommodate commercial activities while achieving IPA project outcomes and operating within the scope of the grant agreement.

6 The assessment criteria

You must address assessment criteria 2-5 in the application form. You should provide evidence to support your answers. The application form displays character limits and table row limits for answers. We will assess your application based on the weighting given to criteria 1-5. To be considered for funding, applications must score at least 50 per cent against each assessment criterion, as these represent best value with money.

Criterion 1 – Geospatial and environmental analysis of values (20 points):

Criterion 1 will consider the potential for the IPA project to protect, conserve and improve the condition of Australia's coastal and marine environment, in particular biodiversity, by considering:

- Matters of National Environmental Significance, including nationally listed threatened species, ecological communities and migratory species, World Heritage Areas²⁰, National Heritage Listed places²¹, Ramsar wetlands²² and the Commonwealth marine environment
- Biologically Important Areas of Regionally Significant Marine Species²³ and Key Ecological Features²⁴
- how it complements Australia's National Representative System of Marine Protected Areas
- connectivity to existing and proposed marine and terrestrial protected areas.

The application form does not ask questions that relate to Criterion 1. The Department of Agriculture, Water and the Environment will use geospatial and environmental data that relates to the area indicated on the map that you submit with your application (see section 7.1.1 and the application form for more information).

Criterion 2 – What are the environmental and cultural values of your proposed IPA? (25 points):

Criterion 2 requires you to show that you have knowledge of the environmental and cultural values of your proposed IPA and the capacity to manage or mitigate threats to these values.

You must demonstrate this by describing:

- your understanding of the environmental and cultural values and significance of the proposed IPA area, and the key threats to those values
- the strategies or management actions you plan to undertake to protect the environmental and cultural values and manage the threats
- relevant environmental plans and research that could assist you in developing the IPA management plan
- how Indigenous knowledge and western science will be integrated into the IPA management plan and the ongoing management of the IPA

Criterion 3 – Governance, capacity and capability (20 points)

Criterion 3 requires you to show that you understand what is involved in the establishment and ongoing management of an IPA.

You must demonstrate this by describing:

- proposed governance arrangements for the project, including the roles of Traditional Owners
- the process and procedures to be used to record and share Indigenous Cultural and Intellectual Property
- how the risks associated with the project, including work health and safety risks, will be managed
- how you will adapt the project if Government restrictions in response to the COVID-19 pandemic impact project delivery

²⁰ <https://www.awe.gov.au/parks-heritage/heritage/about/world-heritage>

²¹ <https://www.awe.gov.au/parks-heritage/heritage/places/national-heritage-list>

²² <https://www.awe.gov.au/water/wetlands/ramsar>

²³ <https://www.awe.gov.au/environment/marine/marine-species/bias>

²⁴ <https://www.environment.gov.au/sprat-public/action/kef/search>

- your capacity, skills and experience to effectively manage the project, and how you will measure the success of the project in achieving the program objectives, including any monitoring and evaluation activities
- how you will create or maintain partnerships that could assist in delivery of the project, including development of the IPA management plan.

Any letters of support provided by existing or proposed partners will be considered in the assessment of this criterion.

Criterion 4 – Cultural, social and economic outcomes (20 points)

Criterion 4 requires you to describe how you plan to engage Traditional Owners and the local Indigenous community and deliver a range of sustainable cultural, social and economic outcomes.

You must demonstrate this by:

- outlining how, through this project, you will engage and involve Traditional Owners and the local Indigenous community to deliver cultural, social and economic outcomes
- outlining opportunities to increase employment for Indigenous Australians that could be leveraged through this project.

Criterion 5 – Stakeholder engagement (15 points)

Criterion 5 requires you to describe how you plan to engage with stakeholders with rights and interests in the IPA consultation area to get their support for and involvement in the management of a dedicated IPA.

You must demonstrate this by:

- identifying stakeholders with rights and interests in the IPA consultation area
- describing how you will engage with stakeholders to build support for a dedicated IPA and how you will involve them in the management of a dedicated IPA.

Any letters of support provided by stakeholders will be considered in the assessment of this criterion.

7 How to apply

Before applying, you must read and understand these guidelines, the application form and the sample Head Agreement.

These documents may be found at GrantConnect²⁵. Any alterations and supplements²⁶ will be published on GrantConnect and by registering on this website, you will be automatically notified on any changes. GrantConnect is the authoritative source for grants information.

To apply you must:

- complete the application form and sign the declaration form
- provide all the information requested
- address all eligibility criteria and assessment criteria

²⁵ <https://www.grants.gov.au>

²⁶ Alterations and supplements include but are not limited to: corrections to currently published documents, changes to close times for applications, Questions and Answers (Q&A) documents and Frequently Asked Questions (FAQ) documents

- include all necessary attachments
- submit your application to SCIPAApplication@awe.gov.au by 5.00pm AEDT on Monday 29 November 2021

You are responsible for ensuring that your application is complete and accurate. Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* and we will investigate any false or misleading information and may exclude your application from further consideration.

If you find an error in your application after submitting it, you should contact us immediately at scipa@awe.gov.au or by calling 1800 803 772. We do not have to accept any additional information, nor requests from you to correct your application after the closing time.

If we find an error or information that is missing, we may ask for clarification or additional information from you that will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your submission after the application closing time.

You should keep a copy of your application and any supporting documents.

We will acknowledge that we have received your application within two working days.

If you need further guidance around the application process, contact us at scipa@awe.gov.au or by calling 1800 803 772.

7.1 Attachments to the application

We only request attachments that will be used in the selection process, such as those that help us to determine eligibility of an applicant or assist in assessing the application.

Attachments that **must** be provided with your application:

- letter/s of support for your application from an entity or entities with responsibility for representing the Traditional Owners of your proposed consultation area, as set out in section 4.3
- a map of your proposed consultation area, as set out in section 7.1.1
- evidence of your not-for-profit status (where applicable) as set out in section 4.1
- for joint (consortia) applications letter/s of support from partners, as set in section 7.2
- trust deed (where applicable).

Attachments that **may** be provided with your application:

- if you do not have an Indigenous Corporation Number (ICN), a statutory declaration stating that your organisation is at least 51% owned or controlled by Indigenous persons or the Indigenous enterprise has 50 per cent Indigenous ownership
- a letter of support from the relevant joint management board or equivalent if the consultation area of your proposed IPA overlaps with a protected area being jointly managed with Indigenous Australians
- letter/s of support for your application from stakeholders with an interest or rights in your proposed consultation area
- letter/s of support for your application from existing or proposed project partners and neighbours
- copies of any current agreements giving you and/or Traditional Owners management or access rights to any areas in your proposed consultation area.

Each letter of support must be no more than one page – additional pages will not be considered – and include:

- details of the supporting organisation or individual
- how they are relevant to the proposed consultation area
- why they support the Sea Country IPA project
- what role they might have in the project, if any.

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach the requested documents listed above. We will not consider attachments or information in attachments that we do not request. For example, we will not consider draft IPA management plans or any other management plans attached to your application.

There is a 2MB size limit for each attachment. The Department's information technology system is not capable of receiving applications that exceed 14MB and any applications above this limit will not be received. You can submit documents in multiple emails.

7.1.1 Map

You must submit a map of your proposed IPA consultation area in the format requested on the application form. On the map you must identify each parcel of land within the proposed IPA area and its tenure and ownership, where relevant.

7.2 Joint (consortia) applications

We recognise that some organisations may want to join together as a group to deliver a project.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Australian Government. The lead organisation must meet all eligibility requirements. Other members of the group are not required to meet eligibility requirements.

The application must identify all other members of the proposed group and include a letter from each of the partners. Letters from partners to a joint application differ from those provided by other supporters identified in section 7.1. Each letter should include:

- details of the partner organisation
- an overview of how the partner organisation will work with the lead organisation and any other partner organisations in the group to successfully complete the project.
- an outline of the relevant experience and/or expertise the partner organisation will bring to the group
- the roles/responsibilities of the partner organisation and the resources they will contribute (if any)
- details of a nominated management level contact officer.

You must have a formal arrangement in place with all parties prior to execution of the grant agreement.

7.3 Timing of grant opportunity processes

You can only submit an application between the published opening and closing dates. We cannot accept late applications unless you were unable to submit your application due to a technical issue with our system.

If you are successful, we expect you will be able to commence your project in early 2022.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	4 weeks
Approval of outcomes of selection process	4 weeks
Negotiations and award of grant agreements	4 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of grant project	1 February 2022
End date of grant project/agreement	30 June 2023

7.4 Questions during the application process

If you have any questions during the application period, contact us at scipa@awe.gov.au or by calling 1800 803 772.

We will respond to emailed questions within three working days. If appropriate, we will update information on GrantConnect.

8 The grant selection process

8.1 Assessment of grant applications

We first review your application against the eligibility criteria (section 4). This may include review by an eligibility panel. Only eligible applications will move to the next stage.

If eligible, we will then assess your application against the assessment criteria (see section 6) and against other applications.

We consider your application on its merits, based on:

- how well it meets the criteria
- how it compares to other applications
- whether it provides value with relevant money²⁷

Applicants are not required to meet all of the items specified for each assessment criterion. However, applications that meet many or all of the items are likely to be assessed more favourably. To be considered for funding, applications must score at least 50 per cent against each assessment criterion, as these represent best value with money.

When assessing the extent to which the application represents value with relevant money, we will have regard to:

²⁷ See Glossary under section 14 of these Guidelines for an explanation of the term *value with money*

- the overall objective/s to be achieved in providing the grant
- the extent to which the evidence in the application and the Department's assessment against criterion 1 demonstrates that it will contribute to meeting the program's outcomes/ objectives.

8.2 Who will assess applications?

An assessment team will assess each application on its merit, compare it to other eligible applications, and assign each application with a score.

The assessment team will be made up of Australian Government employees who have training, expertise and technical specialisation as required. We may ask external experts to inform the assessment process. All experts and Australian Government officials will be required to perform their duties in accordance with the CGRGs.

The assessment team may seek additional information about you or your application. They may do this even if the sources are not nominated by you as referees. The assessment team may also consider information about you or your application that is available through the normal course of business.

A draft Assessment Summary Report, that will include outcomes of the due diligence assessment undertaken by the department, assessor scores and recommended grant amounts against each application, will be provided to a Moderation Panel. The report will include a list of recommended projects and their scores, ranked highest to lowest. The report will also include outcomes of a due diligence assessment undertaken by the Department of Agriculture, Water and the Environment, including performance of the applicant delivering Australian Government funded natural resource management and employment projects.

8.3 Moderation

A Moderation Panel will be established to review the draft Assessment Summary Report and make recommendations to the Minister for the Environment about which applications should be approved for funding.

The Panel will consist of senior staff from the Department of Agriculture, Water and the Environment and the National Indigenous Australians Agency, and members of the Indigenous Advisory Committee²⁸, a statutory committee established under the *Environment Protection and Biodiversity Conservation Act 1999*.

In making their recommendations, the Panel will review the draft Assessment Summary Report considering:

- the risk profile of individual projects, including:
 - outcomes of due diligence undertaken by the Department of Agriculture, Water and the Environment
 - any inconsistencies or contradictions in the application identified through the assessment process
 - projects assessed as having a score of less than 50 per cent of the points available for any individual criteria.

²⁸ The CCRGs apply to all personnel involved in administration of the program, including members of the Indigenous Advisory Committee.

The Panel will also consider the following factors when making recommendations:

- geographical spread of projects across Australia
- variety of organisation types and sizes (small, medium and large).

The Panel may vary rankings or recommended grant amounts set out in the draft Assessment Summary Report as a result of its review.

8.4 Who will approve grants?

The Minister for the Environment decides which grants to approve taking into account the application assessment, the recommendations of the Moderation Panel and the availability of grant funds for the purposes of the grant program. The Minister will consult with the Minister for Indigenous Australians on the merits of applications prior to making a decision on successful projects.

The Minister's decision is final in all matters, including:

- the approval of the grant
- the grant funding amount to be awarded
- any conditions attached to the offer of grant funding.

There is no appeal mechanism for decisions to approve or not approve a grant.

9 Notification of application outcomes

We will advise you of the outcome of your application in writing. If you are successful, we will advise you of any specific conditions attached to the grant.

9.1 Feedback on your application

If you are unsuccessful, you may ask for feedback within four weeks of being advised of the outcome. We will give written feedback within four weeks of your request.

10 Successful grant applications

10.1 The grant agreement

If you are successful and you choose to accept a grant offer, you must enter into a legally binding grant agreement with the National Indigenous Australians Agency. The grant agreement is comprised of two documents, the Head Agreement and an IPA Project Schedule.

The Head Agreement sets out standard terms and conditions of receiving funding under the program, including the general reporting, promotional and auditing terms under which funding is provided. A sample Head_Agreement is available on the National Indigenous Australians Agency website²⁹

A specific IPA Project Schedule will be used to outline the specific grant requirements and will be made available to successful applicants as soon as possible. Any additional conditions attached to the grant will be identified in the grant offer or during the grant agreement negotiations.

²⁹ <https://www.niaa.gov.au/resource-centre/indigenous-affairs/ias-funding-agreement>

We must execute the grant agreement with you before we can make any payments. Execute means both you and the National Indigenous Australians Agency have signed the agreement. We are not responsible for any of your expenditure until the grant agreement is executed.

If you enter an agreement under the Sea Country IPA program, you cannot receive other grants for the same activities from other Australian, state, territory or local government granting programs.

The Australian Government may recover grant funds if there is a breach of the grant agreement.

You will have 30 days from the date of a written offer to execute the grant agreement with the National Indigenous Australians Agency. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application. We will review any required changes to these details to ensure they do not impact the project as approved by the Minister.

10.2 Specific legislation, policies and industry standards

You are required to be compliant with all relevant laws and regulations.

10.3 How we pay the grant

The grant agreement will state the maximum grant amount to be paid.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the grant project.

10.4 Grants Payments and GST

Payments will be Goods and Services Tax (GST) inclusive unless you are not registered for GST or certain exceptions set out in the GST legislation apply. Subject to those exceptions, we will add GST to your grant payment and issue you with a Recipient Created Tax Invoice.

Unless otherwise indicated, all figures quoted in grant documentation will be GST exclusive.

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office³⁰. We do not provide advice on taxation matters

11 Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect as required by Section 5.3 of the CGRGs.

12 How we monitor your grant activity

12.1 Keeping us informed

You should let us know if anything is likely to affect your grant project or organisation.

³⁰ <https://www.ato.gov.au/>

We need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your grant, carry on business and pay debts due.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your grant and provide an opportunity for the Minister or their representative to attend.

12.2 Reporting

You must submit reports in line with the grant agreement. We will provide templates for these reports. We will expect you to report on:

- progress against agreed grant project milestones and outcomes
- expenditure of the grant.

We will monitor progress by assessing reports you submit and may conduct site visits or request records to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, seek further information or request an independent audit of claims and payments.

We will only make grant payments when we receive satisfactory reports.

You must discuss any reporting delays with us as soon as you become aware of them.

12.3 Audited financial acquittal report

We may ask you to provide an independently audited financial acquittal report at the end of each financial year. A financial acquittal report will verify that you spent the grant in accordance with the grant agreement.

12.4 Grant agreement variations

We recognise that unexpected events and/or the impact of COVID-19 may affect your progress. In these circumstances, either the National Indigenous Australians Agency or you can request a variation³¹ to your grant agreement including:

- changing key performance indicators or milestones
- extending the timeframe for completing the grant project (with Program Delegate approval)
- changing project activities
- reducing funding.

If either the National Indigenous Australian Agency or you want to propose changes to the grant agreement, the instigating party must put its concerns, issues and proposed changes in writing before the grant agreement end date. You should not assume that a variation request will be

³¹ All grant agreements include relevant National Indigenous Australians Agency contact details for requesting grant agreement variations

successful. The National Indigenous Australian Agency will consider your request based on factors such as:

- how it affects the grant project outcome
- consistency with the program policy objectives and any relevant policies of the National Indigenous Australian Agency
- changes to the timing of grant payments
- availability of program funding.

All decisions to vary a grant agreement must be mutually agreed between you and the National Indigenous Australian Agency before a variation is provided for the parties to execute.

12.5 Compliance visits and record keeping

We may visit you during or after the completion of your grant activity to review your compliance with the grant agreement. We may also inspect, copy or remove and retain the records you are required to keep under the grant agreement. We will provide you with reasonable notice of any compliance visit.

12.6 Evaluation

We will evaluate the program to measure how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose. We may also interview you or ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

12.7 Acknowledgement

In accordance with the grant agreement, you will be required to acknowledge Australian Government support. Any signage, communication products or publications related to the project must contain an acknowledgement as reasonably required by us.

If you make a public statement about a grant project funded under the program, we require you to acknowledge the grant by using the following:

'This [name of grant project] received grant funding from the Australian Government.'

13 Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

13.1 Enquiries and feedback

The Department of Agriculture, Water and the Environment's Service Charter applies to complaints about this grant round. The Service Charter is available on the Department of Agriculture, Water and the Environment's website³². All complaints about a grant process must be provided in writing.

Any questions you have about grant decisions for this grant opportunity should be sent to scipa@awe.gov.au.

³² www.awe.gov.au/about/commitment/client-service-charter

If you do not agree with the way the Department of Agriculture, Water and the Environment has handled your complaint, you may complain to the Commonwealth Ombudsman. The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Department of Agriculture, Water and the Environment.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072

Email: ombudsman@ombudsman.gov.au

Website: www.ombudsman.gov.au

13.2 Conflicts of interest

Any conflicts of interest could affect the performance of the grant program. There may be a conflict of interest, or perceived conflict of interest, if the Department of Agriculture, Water and the Environment's staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of the Moderation Panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interests or that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform the Department of Agriculture, Water and the Environment in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian Public Service Code of Conduct (Section 13(7)) of the *Public Service Act 1999*. Committee members and other officials including the decision maker must also declare any conflicts of interest.

13.3 Privacy: confidentiality and protection of personal information

We treat your personal information according to the 13 Australian Privacy Principles and the *Privacy Act 1988*. This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

You may be required, as part of your application, to declare your ability to comply with the *Privacy Act 1988*, including where applicable the Australian Privacy Principles and impose the same privacy obligations on any subcontractors you engage to assist with the activity. You must ask for the Department of Agriculture, Water and the Environment's consent in writing before disclosing confidential information.

Your personal information can only be disclosed to someone else:

- if you are given reasonable notice of the disclosure;

- where disclosure is authorised or required by law or is reasonably necessary for the enforcement of the criminal law;
- if it will prevent or lessen a serious and imminent threat to a person's life or health; or
- if you have consented to the disclosure.

The Australian Government may also use and disclose information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes giving information to the Australian Taxation Office for compliance purposes.

We may reveal confidential information to:

- the Assessment Team, Moderation Panel members and other Australian Government employees and contractors to help us manage the program effectively
- employees and contractors of the Department of Agriculture, Water and the Environment and the National Indigenous Australians Agency so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Australian Government agencies for any purposes, including government administration, research or service delivery
- other Australian, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary
- a House or a Committee of the Australian Parliament.

We may share the information you give us with other Australian Government agencies for any purposes including government administration, research or service delivery and according to Australian laws.

We will treat the information you give us as sensitive and therefore confidential if it meets one of the three conditions below:

1. you clearly identify the information as confidential and explain why we should treat it as confidential
2. the information is commercially sensitive
3. revealing the information would cause unreasonable harm to you or someone else.

The grant agreement will include any specific requirements about special categories of information collected, created or held under the grant agreement.

13.4 Freedom of information

All documents in the possession of the Australian Government, including those about this grant opportunity, are subject to the *Freedom of Information Act 1982* (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail: FOI Contact Officer
 Department of Agriculture, Water and the Environment
 GPO Box 858
 CANBERRA ACT 2601

By email: foi@awe.gov.au

14. Glossary

Term	Definition
accountable authority	see subsection 12(2) of the PGPA Act
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes
applicant	an entity who is applying under the program and who may enter into a formal grant agreement with the National Indigenous Australians Agency if their application is successful
assessment criteria	are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
commencement date	the expected start date for the grant activity
completion date	the expected date that the grant activity must be completed and the grant spent by
co-sponsoring entity	when two or more entities are responsible for the policy and the appropriation for outcomes associated with it
date of effect	can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	the person who makes a decision to award a grant
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
coastal environment	refers to mangroves, saltmarshes, saltflats, seagrass beds, beaches, dunes, estuaries, intertidal mudflats, gulfs, bays, coastal wetlands, coastal lakes, coastal lagoons and land adjoining those features including headlands and rock platforms
Commonwealth Grants Rules and Guidelines (CGRGs)	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.

Term	Definition
free, prior and informed consent	<p>A central element of free, prior and informed consent (FPIC) is genuine inclusion, disclosure, and respect for Indigenous Peoples' decision-making processes. The three elements (free, prior and informed) qualify and set the conditions of consent as a decision-making process. In the native title context, consent refers to the decisions made by the Traditional Owners being reached through their customary decision making processes. FPIC is not merely informing and getting consent, it is about effective and meaningful participation to ensure the best decision making for sustainable outcomes – especially where intergenerational decisions are involved.</p> <p>Refer: https://aiatsis.gov.au/sites/default/files/research_pub/AIATSIS%20FPIC%20Policy%20Snapshot%202020.pdf</p>
grant	<p>for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:</p> <ul style="list-style-type: none"> a. under which relevant money³³ or other CRF money³⁴ is to be paid to a grantee other than the Commonwealth; and b. which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.
grant activity	refers to the activities listed in section 5.1
grant project	refers to the project that the grantee is required to undertake
grant agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant
GrantConnect	is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Australian Government grants in accordance with the CGRGs
grant opportunity	refers to the process where an Australian Government grant is made available to potential grantees. Grant opportunities may be open or targeted and will reflect the relevant grant selection process.

³³ Relevant money is defined in the PGPA Act. See section 8, Dictionary.

³⁴ Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
grant program	a 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single [entity] Portfolio Budget Statement Program.
grantee	The organisation which has been selected to receive a grant
Indigenous Cultural and Intellectual Property	<p>refers to Indigenous Australians rights to their heritage. Heritage consists of the intangible and tangible aspects of the whole body of cultural practices, resources and knowledge systems developed, nurtured and refined by Indigenous people and passed on by them as part of expressing their cultural identity.</p> <p>These rights include:</p> <ul style="list-style-type: none"> • Right to protect traditional knowledge and sacred cultural material • Right to ensure that traditional laws and customary obligations are respected, particularly when money is made from ICIP • Right to be paid for use of ICIP, particularly if it has been used in a way which is inconsistent with traditional laws or without the community's permission • Right to full and proper attribution or naming of the community connected with the ICIP • Right to prevent insulting, offensive and misleading uses of ICIP in all media • Right to control the recording of cultural customs and expressions, and language which may be essential to cultural identity, knowledge, skill and teaching about Indigenous culture. <p>Refer: https://www.artslaw.com.au/information-sheet/indigenous-cultural-and-intellectual-property-icip-aitb/ and https://www.terrijanke.com.au/our-culture-our-future</p>
Indigenous enterprise	<p>An entity with at least 50 per cent Indigenous ownership, as outlined in the Indigenous Procurement Policy.</p> <p>Refer: www.niaa.gov.au/resource-centre/indigenous-affairs/indigenous-procurement-policy</p>

Term	Definition
Indigenous organisation	refers to an organisation with at least 51 per cent Indigenous ownership and/or at least 51 per cent controlled by Indigenous Australians (29-5, <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> and part 2, regulation 6 of the <i>Corporations (Aboriginal and Torres Strait Islander) Regulations 2017</i>).
land	refers to any area of Australia on the landward side of coastal waters (coastal waters as defined in s.227 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> are: (a) the part or parts of the territorial sea that are: (i) within 3 nautical miles of the baseline of the territorial sea; and (ii) adjacent to that State or Territory; and (b) any marine or tidal waters that are inside that baseline and are adjacent to that State or Territory but are not within the limits of a State or that Territory)). It includes all inland waters such as rivers and lakes.
management plan sectoral plan	<p>An IPA management plan is a key document that expresses the management aspirations of Traditional Owners for an IPA, identifies the IPA's natural and cultural values, assesses the threats to the values, and outlines a management approach to conserve the values. An IPA management plan also identifies opportunities for IPA managers to build financial and non-financial partnerships with government and non-government stakeholders.</p> <p>An IPA sectoral plan sits under the management plan and provides detailed information on how IPA managers propose to conserve a value or manage a threat. Typical sectoral plans include weed management plans, threatened species management plans and fire management plans.</p>
partner	an IPA partner is an individual or entity who makes a financial or in-kind contribution to the development or management of an IPA.
PBS Program	described within the entity's Portfolio Budget Statement, PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant rounds/opportunities.
Program Delegate	A senior Australian Government executive with responsibility for the program
sea	refers to any marine area that does not fall within the definition of land in these guidelines

Term	Definition
Sea Country	refers to areas of sea and/or coastal environment that Aboriginal and Torres Strait Islander groups are particularly affiliated with through their traditional lore/law and customs.
selection criteria	comprise eligibility criteria and assessment criteria.
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
stakeholder	an IPA stakeholder is an individual or entity with rights and interests in the area of a proposed or dedicated IPA.
Traditional Owners	<p>means a local descent-based group of Indigenous persons with responsibility for caring for country.</p> <p>Where a native title determination has been made, it means the Registered Native Title Body Corporate.</p> <p>Where a statutory grant of land rights has been made, it means the representative entity for that grant.</p> <p>Where an authorised Area Agreement and accompanying registered Indigenous Land Use Agreement has been negotiated, it means the native title group or representative body for that agreement area.</p>
value with money	<p>value with money in this document refers to 'value with relevant money' which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none"> • the quality of the project proposal and activities; • fitness for purpose of the proposal in contributing to government objectives; • that the absence of a grant is likely to prevent the grantee and government's outcomes being achieved; and • the potential grantee's relevant experience and performance history.

Attachment A: Grant amounts

Up to \$9.7 million in grants is available under the Sea Country IPA grant opportunity. It is anticipated that most grants will be between \$800,000-\$1,300,000.

In the application form you will be asked to provide information on new staff positions and costs, and asset needs. We will use the information in your application, together with the budget guide below, to assign a recommended grant amount to each application. This will also take into account the scope and complexity of each proposed project, and we will obtain information on this from your application.

Budget guide

Expenditure type	New IPAs	Expanding IPAs
Wages and oncosts	For the number of on-sea/on-ground staff – pro rata for the first year	For the number of on-sea/on-ground staff – pro rata for the first year
Operational costs	\$30,000 per position	\$30,000 per position
Staff supervisor	Yes*	Yes*
IPA coordinator	Yes	No
Funds to develop or update a management plan	\$70,000	\$70,000
Assets (including vessel, vehicle, infrastructure)	Up to \$200,000 – requires NIAA approval	Up to \$200,000 – requires NIAA approval

*Funding for a supervisor may not be provided if there is already a supervisor in place who could supervise the additional staff

Factors we will consider in setting a recommended grant amount include:

- Is the proposed project a new IPA or is it a proposal to expand an existing dedicated IPA?
- Are Indigenous rangers currently working in the consultation area of the proposed project?
- What land and sea management activities are currently being undertaken by the applicant in the consultation area of the proposed project?
- Has a draft or finalised IPA management plan, Healthy Country Plan or similar plan been developed for the consultation area of the proposed project?
- Is there existing land and sea management related infrastructure, equipment, tools and machinery owned by or accessible to the applicant that could be used to deliver the project?
- Are vessels and vehicles owned by or accessible to the applicant that could be used to deliver the project?
- Size and remoteness of the proposed IPA consultation area
- Complexity of the Traditional Owner group, including number and location of Traditional Owners
- Complexity of stakeholders with rights and interests in the area of the proposed IPA, including number and diversity of stakeholders.